

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building		(2) MEETING DATE June 6, 2006		(3) CONTACT/PHONE Ryan Hostetter (788-2351)	
(4) SUBJECT Hearing to consider an appeal by SDS Family Trust of the Planning Department Hearing Officer's approval of their request for a Minor Use Permit/Coastal Development Permit (DRC2004-00125) to allow the construction of a new 4,576 square foot barn, the remodeling of an existing single family residence, and the installation of a new septic system for the existing residence. The appeal is a request to remove a coastal access condition and amend a condition regarding outdoor lighting. Supervisorial District 2.					
(5) SUMMARY OF REQUEST The Board is asked to consider an appeal by the applicant on an approved project regarding proposed amendments to the conditions of approval on coastal access and outdoor lighting.					
(6) RECOMMENDED ACTION Adopt the resolution modifying the decision of the Hearing Officer and conditionally approving the application of SDS Family Trust for Minor Use Permit/Coastal Development Permit DRC2004-00125 based on the findings in Exhibit A and conditions in Exhibit B.					
(7) FUNDING SOURCE(S) N/A		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): North Coast Advisory Council, and the California Coastal Commission					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input checked="" type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input type="checkbox"/> All			(14) LOCATION MAP <input checked="" type="checkbox"/> Attached <input type="checkbox"/> N/A		(15) Maddy Act Appointments Signed-off by Clerk of the Board
(16) AGENDA PLACEMENT <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Hearing (Time Est. <u>60 minutes</u>) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(17) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(19) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) _____			(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		(22) Agenda Item History <input checked="" type="checkbox"/> N/A Date _____
(23) ADMINISTRATIVE OFFICE REVIEW <div style="text-align: center; font-size: 1.2em; margin-top: 20px;"> <i>OK Leslie Brown</i> </div>					

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 (6.6.06)



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

TO: BOARD OF SUPERVISORS

FROM: RYAN HOSTETTER, CURRENT PLANNING

VIA: WARREN HOAG, DIVISION MANAGER, CURRENT PLANNING *WH*

DATE: JUNE 6, 2006

SUBJECT: HEARING TO CONSIDER AN APPEAL BY SDS FAMILY TRUST OF THE PLANNING DEPARTMENT HEARING OFFICER'S APPROVAL OF THEIR REQUEST FOR A MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT (DRC2004-00125) TO ALLOW THE CONSTRUCTION OF A NEW 4,576 SQUARE FOOT BARN, THE REMODELING OF AN EXISTING SINGLE FAMILY RESIDENCE, AND THE INSTALLATION OF A NEW SEPTIC SYSTEM FOR THE RESIDENCE. THE APPEAL IS A REQUEST TO REMOVE A COASTAL ACCESS CONDITION AND AMEND A CONDITION REGARDING OUTDOOR LIGHTING. SUPERVISORIAL DISTRICT 2.

RECOMMENDATION

Adopt the resolution modifying the decision of the hearing officer and conditionally approving the application of SDS Family Trust for Minor Use Permit/Coastal Development Permit DRC2004-00125 based on the findings in Exhibit A and the conditions in Exhibit B.

DISCUSSION

On March 17, 2006, a Minor Use Permit/Coastal Development Permit (MUP/CDP) was approved to allow the construction of a new 4,576 square foot barn, remodel of an existing residence, and revision of a coastal access condition placed on the property with a previous MUP/CDP (D010354P). The new barn is proposed to be located in the same location as a previous barn that has recently fallen down due to age, pilfering of wood siding, and weather. The location of the new barn will be approximately 120 feet southeast of the existing residence. The subject site is within the Agriculture land use category, located at 4510 Cabrillo Highway, approximately 1 mile south of the community of Harmony, on the west side of Highway 1, in the North Coast planning area.

On March 17, 2006, the Planning Department Hearing Officer approved the project, and immediately thereafter, department staff received an appeal by the applicant. The *C-6 2*

primary reasons for the appeal were the coastal access condition and the outdoor lighting condition.

The following is a discussion of the two issues raised in the appeal.

APPEAL ISSUES

Issue #1 – Remove Coastal Access Condition (condition of approval #8)

Staff response:

The project was conditioned under prior Minor Use Permit/Coastal Development Permit (MUP/CDP) D010354P to record a lateral access easement for the property subject to the coastal access requirements of Section 23.04.420(d)(3) of the Coastal Zone Land Use Ordinance (CZLUO). Section 23.04.420(d)(3) of the CZLUO states:

Lateral access dedication: all new development shall provide a lateral access dedication of 25 feet of dry sandy beach available at all times during the year. Where topography limits the dry sandy beach to less than 25 feet, lateral access shall extend from the mean high tide line to the toe of the bluff. Where the area between the mean high tide line (MHTL) and the toe of the bluff is constrained by rocky shoreline or other limitations, the County shall evaluate the safety and other constraints and whether alternative siting of accessways is appropriate. This consideration would help maximize public access consistent with the LCP and California Coastal Act.

To meet the intent of this condition, the landowner would need to record an Offer to Dedicate (OTD) for the lateral access for the entire length of shoreline ownership (approximately 1 mile). The exact nature of the access would be based on the physical constraints at the site, and conflicts with existing approved uses. The landowner/appellant is currently in violation of this condition of approval because the OTD was supposed to be recorded “prior to the issuance of construction permits or the start of any construction activity”, and the remodeling of the existing residence has begun (it has subsequently been temporarily suspended due to a stop work order). However, the county has not pursued resolution of the violation because the landowner filed an appeal of the project decision on the same day the MUP/CDP was approved (March 17, 2006).

While planning staff understands the applicant’s desire to remove the coastal access condition in its entirety, staff feels that some level of coastal access is required because the installation of the new septic system and construction of the new barn constitute “development”, and therefore trigger the coastal access requirements of Section 23.04.420 of the CZLUO. At the same time, we acknowledge that requiring coastal access along the entire coastal frontage of the parcel is not proportional to the

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development proposed because the uses and resulting number of structures on the property remains consistent with the past hundred years. In addition, staff acknowledges that having too much coastal access to this property may lead to adverse impacts on sensitive coastal resources and the existing agricultural operation. With that in mind, staff feels that retaining condition no. 8 to require the recordation of an OTD for just the portions of the property that have "25 feet of dry sandy beach" and areas from the mean high tie line to the toe of the bluff in China Harbor is the proportional level of access to the site. The result of this new condition may only lead to very small sections of coastline being identified for a future easement (i.e. approximately 0.5 mile section of beach in China Harbor).

The OTD will be available for acceptance for 21 years. If, in that time, a public agency comes forward to accept the access easement area, the OTD will be recorded as a public access easement. If not, the OTD expires and the requirement is void.

Issue #2 – Modify or remove condition for outdoor lighting (condition of approval #3)

Staff Response:

Condition of Approval #3 reads as follows:

"The applicant shall provide details on any proposed lighting within the barn. There shall be no exterior lights attached to the barn, and no exterior lights attached to poles on the property. Exterior lighting shall be limited to a simple porch light at the single family residence only."

Staff agrees that a modification of this condition of approval is appropriate. The applicants would like to have outdoor lighting for safety proposes on and around the barn. The condition has been modified to read as follows:

"The applicant shall provide details on any proposed lighting within the barn. All exterior lighting on the property outside of the residence shall be on timers and/or sensors to allow for them to be shut off during late hours, and when there is no activity in the barn/ranch areas. All exterior lighting shall be shielded with full cut-off shields so that no exposed bulbs (or portions of bulbs) are visible from Highway 1."

OTHER AGENCY INVOLVEMENT

North Coast Advisory Council (NCAC): The NCAC was sent a referral for the proposed project, and they reviewed the project at their January 19, 2005 meeting. They recommended approval with no comments.

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California Coastal Commission: The Coastal Commission was sent a referral for the subject project, and no response was received. The project is located in between the first public road and the ocean in the coastal zone which makes the project appealable to the Coastal Commission.

FINANCIAL CONSIDERATIONS

The required appeal fee was waived because the appeal listed "inconsistency with our Local Coastal Program" as one of the issues of appeal (pursuant to our adopted policy and procedure).

RESULTS

Denial of the appeal and approval of Minor Use Permit/Coastal Development Permit DRC2004-00125, will allow for the project to go forward and be constructed with limited coastal access on the property, and no outdoor lighting other than existing lighting on the home.

Approval of the appeal of the Minor Use Permit/Coastal Development Permit DRC2004-00125, would mean the project could move forward and be constructed with no coastal access requirement, and unlimited outdoor lighting of the site.

ATTACHMENTS

1. Resolution partially upholding the Hearing Officer's decision
2. Appeal form
3. Planning Department Hearing (PDH) staff report, with correspondence received at the from the March 17, 2006 PDH hearing

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EXHIBIT A - FINDINGS

CEQA Exemption

- A. A Class 3 Categorical Exemption was issued on February 15, 2006 (ED05-324) pursuant to CEQA Guidelines Section 15303 because the project is a minor remodel of an existing residence, construction of a new barn on slopes less than 10%, and the installation of a new septic system.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act and Section 23.04.420 of the Coastal Zone Land Use Ordinance regarding vertical access because vertical access exists on the adjacent property to the north (State Parks property; Sea West Ranch).

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- H. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act and Section 23.04.420 of the Coastal Zone Land Use Ordinance regarding lateral access because requiring lateral access along the entire shoreline of the subject property may result in adverse impacts to the existing cattle grazing operations. Construction of the new barn, remodeling of the existing residence, and installation of a new septic system is a minor amount of new development for the subject property and the project has been conditioned to provide a proportional amount of limited lateral access (25 feet of dry sandy beach).

Archeological Sensitive Area

- I. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because a Phase I Archaeological Survey was prepared by Charles E. Dills on January 20, 1994. The survey found that no potentially significant cultural resources are present on the parcel.

Streams and Riparian Vegetation

- J. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because the new facilities are located a minimum of 100 feet from the stream.
- K. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed well has been designed and to minimize impacts to the stream and riparian vegetation.
- L. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
- M. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because sedimentation and erosion control measures were put in place when the well site was prepared.
- N. There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.
- O. The proposed use will not significantly disrupt the habitat.

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EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes:
 - a. the construction of a new 4,576 square foot barn, minor remodel of the existing residence which includes connection to an existing well and installation of a new septic system, and amendment of the coastal access condition of approval from a previous Minor Use Permit (D010354P).
 - b. maximum height is 28' from average natural grade (maximum elevation of ridgeline or clearstory shall be 171').

Conditions required to be completed at the time of application for construction permits

2. Plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. The applicant shall provide details on any proposed lighting within the barn. All exterior lighting on the property outside of the residence shall be on timers and/or sensors to allow for them to be shut off during late hours, and when there is no activity in the barn/ranch areas. All exterior lighting shall be shielded with full cut-off shields so that no exposed bulbs (or portions of bulbs) are visible from Highway 1.

Fire Safety

4. All plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated March 16, 2005.

Services

5. The applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. The applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

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Conditions to be completed prior to issuance of a construction permit

Fees

7. The applicant shall pay all applicable school and public facilities fees.

Coastal Access

8. **Prior to issuance of construction permits**, the applicant shall execute and record an offer of dedication for public access along the shoreline. The offer of dedication shall provide for lateral access of twenty-five (25) feet of dry sandy beach along the shore to be available at all times during the year, or from mean high tide to the toe of bluff (where there is no 25' of dry sandy beach), both of which are to be within the area known as China Harbor. The offer shall be in a form acceptable to County Counsel, and shall be approved by the Planning Director and the Executive Director of the California Coastal Commission.

Conditions to be completed during project construction

Building Height

9. The maximum elevation of the barn is 171' feet to the top of the ridgeline (approximately 28' in height from average natural grade).
 - a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
 - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

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**Conditions to be completed prior to occupancy or final building inspection
/establishment of the use**

10. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
11. The applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
12. The applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

13. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
14. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

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IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION MODIFYING THE DECISION OF THE HEARING OFFICER AND
CONDITIONALLY APPROVING THE APPLICATION OF SDS FAMILY TRUST FOR
MINOR USE PERMIT/COASTAL DEVELOPMENT PERMIT DRC2004-00125

The following resolution is now offered and read:

WHEREAS, on March 17, 2005, the Zoning Administrator of the County of San Luis Obispo (hereinafter referred to as the "Hearing Officer") duly considered and conditionally approved the application of SDS Family Trust for Minor Use Permit/Coastal Development Permit DRC2004-00125; and

WHEREAS, SDS Family Trust has appealed the Hearing Officer's decision to the Board of Supervisors of the County of San Luis Obispo (hereinafter referred to as the "Board of Supervisors") pursuant to the applicable provisions of Title 23 of the San Luis Obispo County Code; and

WHEREAS, a public hearing was duly noticed and conducted by the Board of Supervisors on June 6, 2005, and a determination and decision was made on June 6, 2006; and

WHEREAS, at said hearing, the Board of Supervisors heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said appeal; and

WHEREAS, the Board of Supervisors has duly considered the appeal and finds that the appeal should be upheld in part and the decision of the Hearing Officer should be modified subject to the findings and conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct and valid.
2. That the Board of Supervisors makes all of the findings of fact and determinations set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.

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3. That this project is found to be categorically exempt from the California Environmental Quality Act under the provisions of the California Code of Regulations, title 14, section 15303 (class 3).

4. That the appeal filed by SDS Family Trust is hereby upheld in part, and the decision of the Hearing Officer is modified, and that the application of SDS Family Trust for Minor Use Permit DRC2004-00125 is hereby approved subject to the conditions of approval set forth in Exhibit B attached hereto and incorporated by reference herein as though set forth in full.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairman of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By:  _____
Deputy County Counsel

Dated: May 23, 2006

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STATE OF CALIFORNIA,)
)
County of San Luis Obispo) ss

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 2006.

County Clerk and Ex-Officio Clerk of the
Board of Supervisors

(SEAL)

By: _____
Deputy Clerk

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EXHIBIT A - FINDINGS

CEQA Exemption

- A. A Class 3 Categorical Exemption was issued on February 15, 2006 (ED05-324) pursuant to CEQA Guidelines Section 15303 because the project is a minor remodel of an existing residence, construction of a new barn on slopes less than 10%, and the installation of a new septic system.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act and Section 23.04.420 of the Coastal Zone Land Use Ordinance regarding vertical access because vertical access exists on the adjacent property to the north (State Parks property; Sea West Ranch).

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- H. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act and Section 23.04.420 of the Coastal Zone Land Use Ordinance regarding lateral access because requiring lateral access along the entire shoreline of the subject property may result in adverse impacts to the existing cattle grazing operations. Construction of the new barn, remodeling of the existing residence, and installation of a new septic system is a minor amount of new development for the subject property and the project has been conditioned to provide a proportional amount of limited lateral access (25 feet of dry sandy beach).

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- K. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed well has been designed and to minimize impacts to the stream and riparian vegetation.
- L. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
- M. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because sedimentation and erosion control measures were put in place when the well site was prepared.
- N. There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.
- O. The proposed use will not significantly disrupt the habitat.

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EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes:
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 - b. maximum height is 28' from average natural grade (maximum elevation of ridgeline or clearstory shall be 171').

Conditions required to be completed at the time of application for construction permits

2. Plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. The applicant shall provide details on any proposed lighting within the barn. All exterior lighting on the property outside of the residence shall be on timers and/or sensors to allow for them to be shut off during late hours, and when there is no activity in the barn/ranch areas. All exterior lighting shall be shielded with full cut-off shields so that no exposed bulbs (or portions of bulbs) are visible from Highway 1.

Fire Safety

4. All plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated March 16, 2005.

Services

5. The applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. The applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

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Conditions to be completed prior to issuance of a construction permit

Fees

7. The applicant shall pay all applicable school and public facilities fees.

Coastal Access

8. **Prior to issuance of construction permits**, the applicant shall execute and record an offer of dedication for public access along the shoreline. The offer of dedication shall provide for lateral access of twenty-five (25) feet of dry sandy beach along the shore to be available at all times during the year, or from mean high tide to the toe of bluff (where there is no 25' of dry sandy beach), both of which are to be within the area known as China Harbor. The offer shall be in a form acceptable to County Counsel, and shall be approved by the Planning Director and the Executive Director of the California Coastal Commission.

Conditions to be completed during project construction

Building Height

9. The maximum elevation of the barn is 171' feet to the top of the ridgeline (approximately 28' in height from average natural grade).
- a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
 - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

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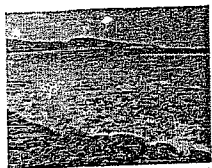
**Conditions to be completed prior to occupancy or final building inspection
/establishment of the use**

10. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
11. The applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
12. The applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

13. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
14. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

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Coastal Zone Appeal Application

San Luis Obispo County Department of Planning and Building

NOTE:

To appeal a Board of Supervisors decision you will need to obtain appeal forms from the California Coastal Commission - 725 Front Street, Suite 300 Santa Cruz, CA 95060 408-427-4863.

PROJECT INFORMATION

Type of permit being appealed:

- ☐ Plot Plan ☒ Minor Use Permit ☐ Development Plan ☐ Variance ☐ Land Division
☐ Lot Line Adjustment ☐ Other _____ File Number: _____

The decision was made by:

- ☐ Planning Director ☐ Building Official ☒ Administrative Hearing Officer ☐ Subdivision Review Board
☐ Planning Commission ☐ Other _____ Date the application was acted on _____

The decision is appealed to:

- ☐ Board of Construction Appeals ☐ Board of Handicapped Access ☐ Planning Commission ☒ Board of Supervisor

BASIS FOR APPEAL

Please note: An appeal must be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

- ☐ INCOMPATIBLE WITH THE LCP. The development does not conform to the standards set forth in the certified Local Coastal Program of the county for the following reasons (attach additional sheets if necessary)

Explain: _____

- ☒ INCOMPATIBLE WITH PUBLIC ACCESS POLICIES: The development does not conform to the public access policies of the California Coastal Act - Section 30210 et seq. Of the Public Resource Code (attach additional sheets if necessary)

Explain: There is no nexus for requiring coastal access. The condition requirement is not proportional to scope of the project.

Specific Conditions. The specific conditions that I wish to appeal that relate to the above referenced grounds for appeal are:

Condition Number	Reason for appeal (attach additional sheets if necessary)
#8	Remove coastal access condition
#3	Modify or remove condition for lighting

APPELLANT INFORMATION

Print name: Denise McLaughlan, Sandra Bowman Phone Number (daytime): 818 761 6245
 Address: PO Box 458 Sun Valley CA 91353 (Denise-cell 818 339 6582)

I/We are the applicant or an aggrieved person pursuant to the Coastal Zone Land Use Ordinance (CZLUO) and are appealing the project based on either one or both of the following grounds, as specified in the CZLUO and State Public Resource Code Section 30603 and have completed this form accurately and declare all statements made here are true.

Signature: Denise McLaughlan Sandra Bowman Date: 3/17/06
Sharon Smith Pat Mulvan, Agent

OFFICE USE ONLY

Date Received: _____
 Amount Paid: _____

By: _____
 Receipt No. (if applicable): _____

Revised 5/05/04/LF



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

4-1

Promoting the wise use of land
Helping build great communities

MEETING DATE March 17, 2006 LOCAL EFFECTIVE DATE March 31, 2006 APPROX FINAL EFFECTIVE DATE April 21, 2006	CONTACT/PHONE Ryan Hostetter	APPLICANT SDS Family Trust	FILE NO. DRC2004-00125
SUBJECT Request by SDS Family Trust for a Minor Use Permit/Coastal Development Permit to allow the construction of a new 4,576 square foot barn, a minor remodel of the existing residence consisting of the connection to an existing well and installation of a new septic system, and the amendment of the lateral coastal access condition of approval from a previous Minor Use Permit (D010354P). The new barn is proposed to be located in the same location as a previous historic barn that had been destroyed due to weather and age. The location of the barn is approximately 120 feet to the east of the existing residence. The proposed barn will be visible from Highway 1 (the west side of the highway approximately 1 mile south of Harmony), and has been designed to be similar to the previous barn to reduce visual impacts from Highway 1. The project will result in the disturbance of approximately 4,576 square feet of a 400 acre parcel. The proposed project is within the Agriculture land use category and is located at 4510 Cabrillo Highway, approximately 1 mile south of the community of Harmony in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2004-00125 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on February 15, 2006 (ED05-324).			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Local Coastal Program/Flood Hazard/Streams and Riparian Vegetation/Sensitive Resource Area/Coastal Appealable Zone	ASSESSOR PARCEL NUMBER 046-082-010, 046-082-011, & 046-082-005	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: None applicable <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program/Flood Hazard/Streams and Riparian Vegetation/Sensitive Resource Area/Coastal Appealable Zone, Archaeologically Sensitive Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242

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EXISTING USES: House, cattle grazing	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture, grazing operation <i>East:</i> Agriculture, grazing operation <i>South:</i> Agriculture, grazing operation <i>West:</i> Pacific Ocean	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Agricultural Commissioner's Office, Cambria CSD, Cambria Fire, Cal Trans, Regional Water Quality Control Board, California Coastal Commission, and the North Coast Advisory Council	
TOPOGRAPHY: Site ranges from slightly to steeply sloping.	VEGETATION: Grasses, areas of riparian vegetation and coastal dune scrub
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: January 24, 2005

DISCUSSION

PROJECT HISTORY

This project as proposed includes the construction of a new barn in the same location as an old barn. The old barn fell down in 2004 because of age and weather. The project also includes the remodeling of the existing residence, and the removal of a coastal access requirement that was a condition of approval from a previous permit (D010354P). Permit D010354P included remodeling the existing 130 year old home, connecting the home to an existing well, and installation of a new septic system. This permit was approved on March 19, 2004.

A condition of approval for permit D010354P required that the applicants provide lateral access along the entire length of the property fronting the ocean for public beach access. Vertical access was not required because the site has been used for cattle grazing and dairy operations, and requiring vertical access to the beach could not only inhibit the existing agricultural operations on the site but possibly inhibit future agricultural operations as well. The applicants are requesting to remove the lateral access requirement (which was required with permit D010354P) with this Minor Use Permit/Coastal Development Permit.

Based on previous court cases (Nollan vs. Ca Coastal Commission 1988 & Dolan vs. the City of Tigard 1994), in order for an agency to require coastal access when an applicant develops their property there needs to be a nexus to require the access, and the access requirement should be proportional to the development proposal and change of intensity on the property. This project includes minor remodeling of an existing home including a new septic system, and re-building a barn that had been destroyed due to age and weather. Staff feels that this project does not warrant the requirement for full lateral access because it does not change the historic use of the property, and does not increase the number of structures on the site. However, staff does feel that because the remodel of the home includes a new septic system, and the barn is going to be replaced, some access should be provided. Therefore, staff is requiring that the applicants provide lateral access along the portion of their coastline that contains dry sandy beach. With this requirement there will be no conflict with the current agricultural activities or

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potential future agricultural uses on the property because the dry sandy beach areas on the property are not accessible by cattle.

PLANNING AREA STANDARDS: None Applicable

LAND USE ORDINANCE STANDARDS:

Local Coastal Plan/Coastal Appealable Zone: The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan. Because this project is located between the ocean and the first public road it falls within the appealable development combining designation land use category. Therefore, any decision made by the county regarding this project's land use application may be appealed by the California Coastal Commission pursuant to Public Resources Codes Section 30603(a).

Flood Hazard: The area where construction activities will occur is outside the area of the property designated Flood Hazard.

Archaeologically Sensitive: The proposed project is located in an Archaeologically Sensitive Area. A Phase I Archaeological Survey was prepared by Charles E. Dills on January 20, 1994. The survey found that no potentially significant cultural resources are present on the parcel.

Sensitive Resource Area/Streams and Riparian Vegetation: A designated coastal stream is located on the property. It is an intermittent tributary to Ellysly Creek. The drainage supports minimal patchy riparian vegetation in areas with no riparian in the area near the existing residence. A large group of eucalyptus and Monterey cypress associated with the historic residence dominates the drainage in the area. The existing residence is located approximately 65 feet from the drainage. The new septic tank and leachfield are proposed to be setback in excess of 100 feet from the drainage. While the house does not meet the required 100 foot setback from coastal streams, the structure is a historic residence that has existed on the site for approximately 130 years and moving it is not necessary or reasonable at this time. The project proposes to restore the house to a habitable condition, but does not propose to expand or establish any new facilities that would not meet the setback.

Use of the well for residential purposes will increase the demand by approximately 1 acre foot per year (AFY). The use of a well to supply the one single family residence will be similar to the historic usage at the site (for approx. 130 years). In fact, the property was the site of an operating dairy for many years and the water demand of the proposed project will be significantly less than during the dairy operation.

COASTAL PLAN POLICIES: The project is consistent with the Coastal Plan Policies. The most relevant policies are discussed below.

Shoreline Access:

Policy 2: New Development. Vertical access is not required because existing cattle grazing operations may be adversely affected. While the site has been occupied for most of the past 130 years, the residence has been vacant for the past several years. Remodeling the existing residence, adding a bathroom and septic system, and replacement of the barn will add square footage to the property therefore limited lateral access along only the dry sandy beach is required.

Environmentally Sensitive Habitats:

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Policy 1: Land Uses. The proposed project is consistent with this policy as the restoration of the existing structure will not significantly disrupt the habitat.

Policy 2: Permit Requirement: The proposed project is consistent with this policy because habitat values are minimal in the are of the project (due to over story of mature trees) and conditions have been included that will protect the stream/drainage area during construction and require some enhancement plantings. There will be no significant impact on sensitive habitats restoration of the residence is consistent with the biological continuance of the habitat.

Policy 18: Coastal Streams and Riparian Vegetation: The proposed project is consistent with this policy because the while the existing residence is approximately 65 feet from the stream, new facilities (e.g. septic and leach field) are greater than 100 feet from the stream..

Policy 19: Development in or Adjacent to a Coastal Stream: The proposed project is consistent with this policy because the new facilities will be sited and designed to prevent impacts to the coastal habitat. Sedimentation and erosion control measures were implemented to prevent erosion and runoff when the well was installed.

Coastal Watershed:

Policy 1: Preservation of Groundwater Basins. The proposed project is consistent with this policy because the well serving the project will result in withdrawal of approximately 1 acre foot per year, which is far less than withdrawals as a result of historic uses.

Policy 6: Priority for Agriculture Expansion. The proposed project is consistent with this policy because the residential use is within the historic ranch house area and will not interfere with the agricultural use (grazing) currently occurring on the property.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

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COMMUNITY ADVISORY GROUP COMMENTS: None applicable to this site.

AGENCY REVIEW:

Public Works-"Recommend approval" 1/5/05

Ag Commissioner-"No Concerns" 2/2/06

CDF - See minor use plan fire letter in file dated 3/16/05

Cambria Community Services District - "Not in Cambria, no comment" 12/14/04

Cal Trans - None received as of 2/15/06

California Coastal Commission - None received as of 2/15/06

Regional Watery Quality Control Board - None received as of 2/15/06

LEGAL LOT STATUS:

The existing properties were legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Ryan Hostetter and reviewed by Matt Janssen

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EXHIBIT A - FINDINGS

CEQA Exemption

- A. A Class 3 Categorical Exemption was issued on February 15, 2006 (ED05-324) pursuant to CEQA Guidelines Section 15303 because the project is a minor remodel of an existing residence and construction of a barn on slopes less than 10%.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because vertical access is not required because existing cattle grazing operations may be adversely affected. Restoration of the ranch house and re-building the barn will add a minor amount of new construction and the project has been conditioned to provide a proportional amount of limited lateral access.

Archeological Sensitive Area

- H. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because a Phase I Archaeological Survey was prepared by Charles E. Dills on January 20, 1994. The survey found that no potentially significant cultural resources are present on the parcel.

Streams and Riparian Vegetation

- I. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and

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will preserve and protect such features through the site design, because the new facilities are located a minimum of 100 feet from the stream

- J. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed well has been designed and to minimize impacts to the stream and riparian vegetation.
- K. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource.
- L. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because sedimentation and erosion control measures were put in place when the well site was prepared.
- M. There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat.
- N. The proposed use will not significantly disrupt the habitat.

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EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes
 - a. the construction of a new 4,576 square foot barn, minor remodel of the existing residence which includes connection to an existing well and installation of a new septic system, and amendment of the coastal access condition of approval from a previous Minor Use Permit (D010354P).
 - b. maximum height is 28' from average natural grade (maximum elevation of ridgeline or clearstory shall be 171').

Conditions required to be completed at the time of application for construction permits

2. Plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.
3. The applicant shall provide details on any proposed lighting within the barn. There shall be no exterior lights attached to the barn, and no exterior lights attached to poles on the property. Exterior lighting shall be limited to a simple porch light at the single family residence only.

Fire Safety

4. All plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated March 16, 2005.

Services

5. The applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. The applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

7. The applicant shall pay all applicable school and public facilities fees.

Coastal Access

8. The applicant shall provide a lateral access dedication of 25 feet of dry sandy beach available at all times during the year across APN 046-082-005 (pursuant to the requirements of Section 23.04.420 of the Coastal Zone Land Use Ordinance).

Conditions to be completed during project construction

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Building Height

9. The maximum elevation of the barn is 171' feet to the top of the ridgeline (approximately 28' in height from average natural grade).
 - a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
 - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Conditions to be completed prior to occupancy or final building inspection / establishment of the use

10. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.
11. The applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
12. The applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

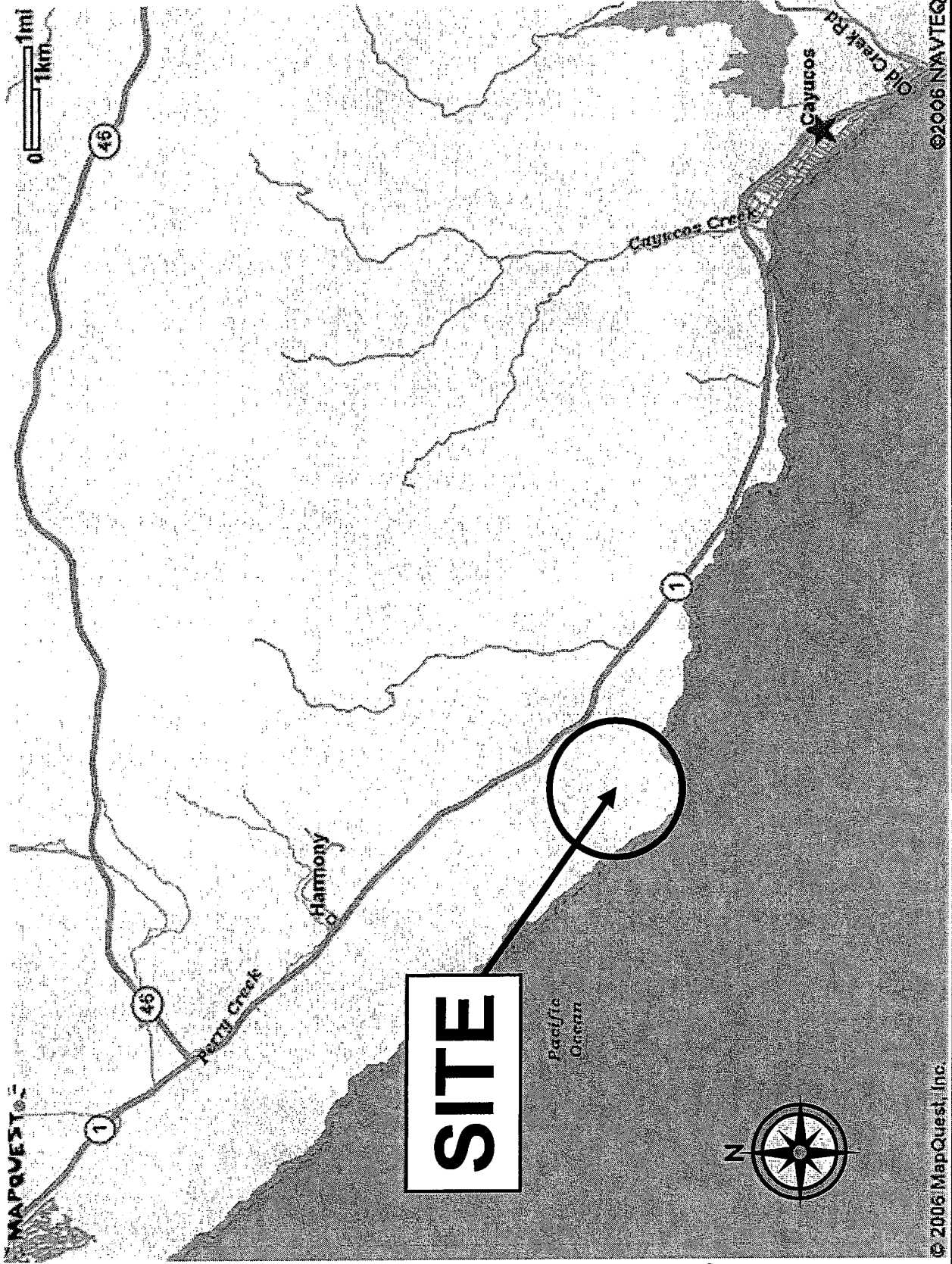
On-going conditions of approval (valid for the life of the project)

13. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
14. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

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PROJECT

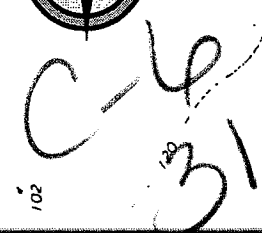
Minor Use Permit
SDS Family Trust – Ennick DRC2004-00125

EXHIBIT

Cayucos Vicinity



C-430



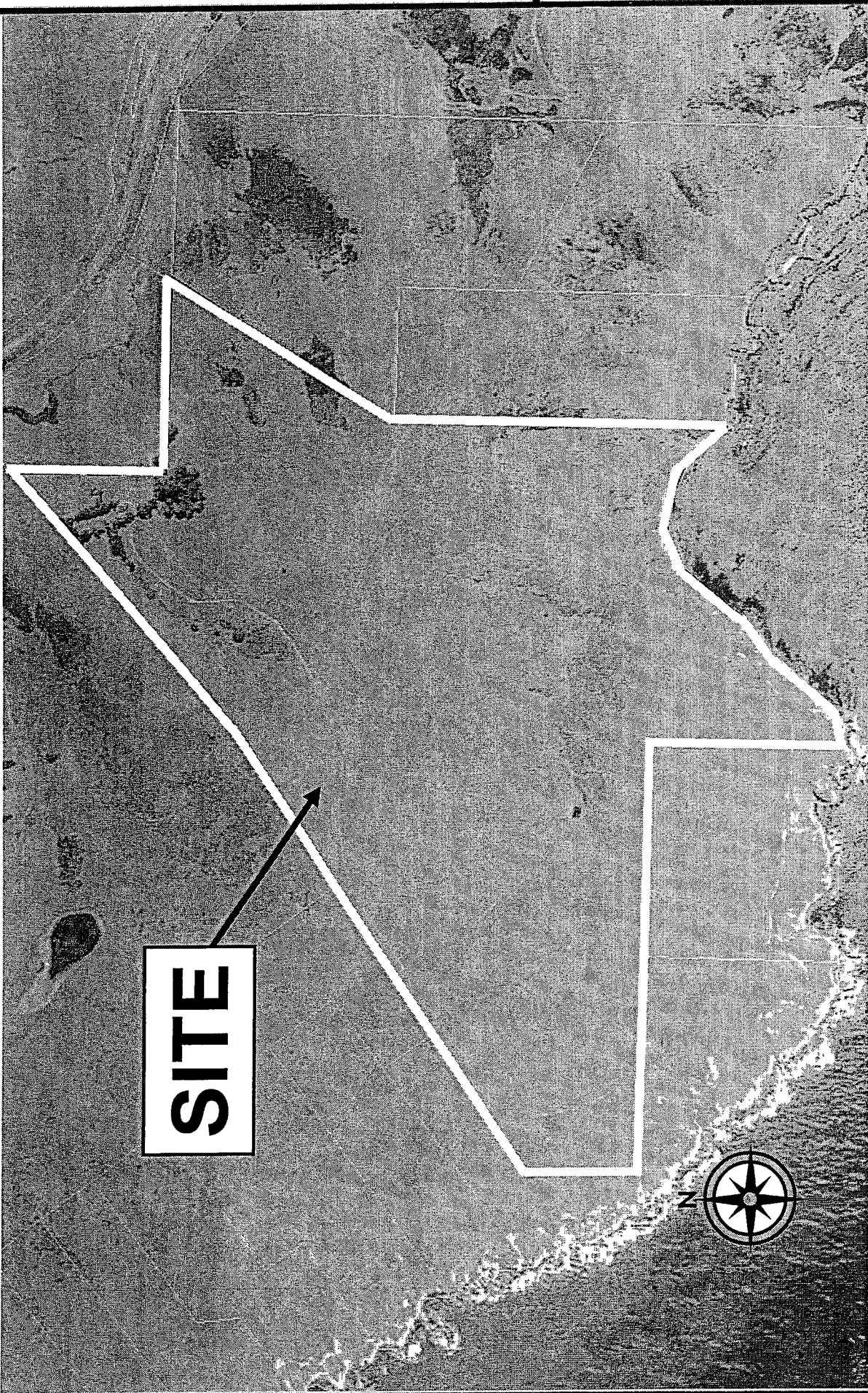
Minor Use Permit

SDS Family Trust – Ennick DRC2004-00125



Land Use Category

4-13



PROJECT

Minor Use Permit
SDS Family Trust – Ennick DRC2004-00125

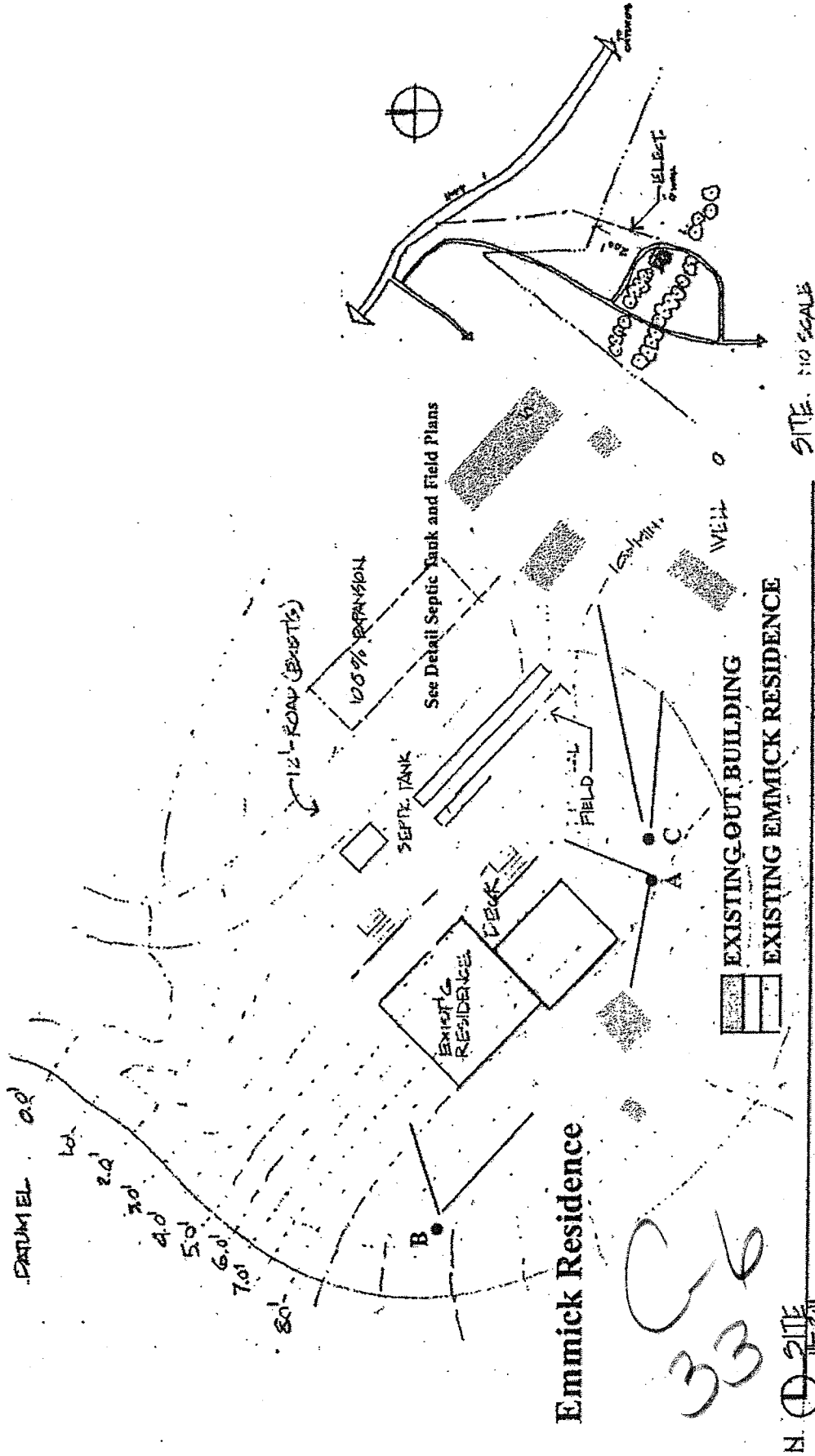
EXHIBIT

Aerial Photo



C-10 32

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N. ① SITE
1" = 20'

SITE: NO SCALE

PROJECT

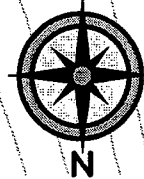
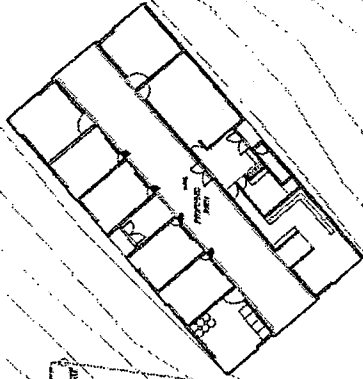
Minor Use Permit
SDS Family Trust – Emmick DRC2004-00125

EXHIBIT

Overall Site Plan



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PROJECT

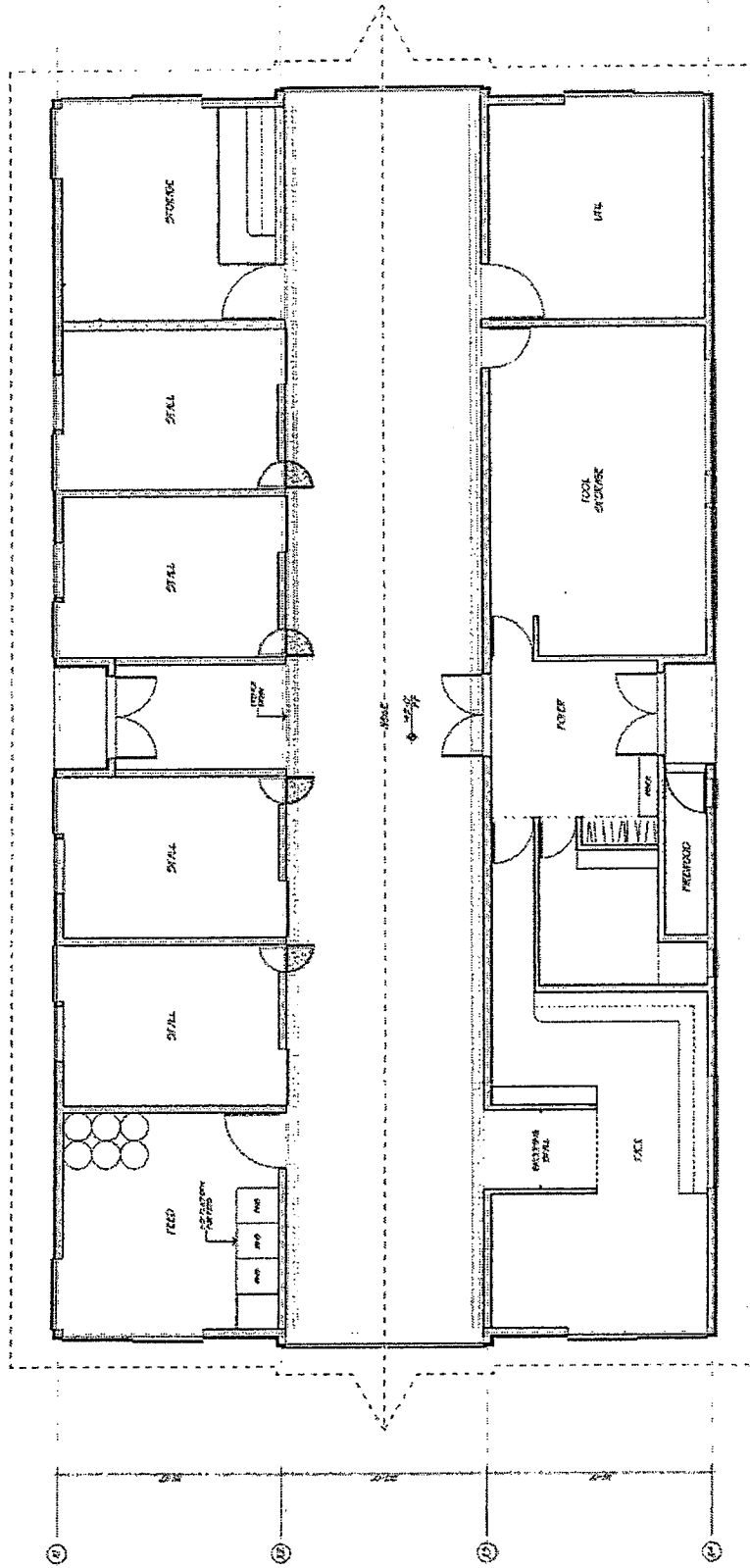
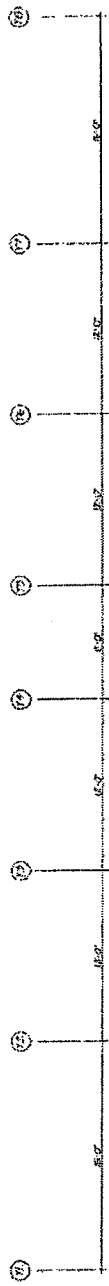
Minor Use Permit

SDS Family Trust - Ennick DRC2004-00125

EXHIBIT

Site Plan





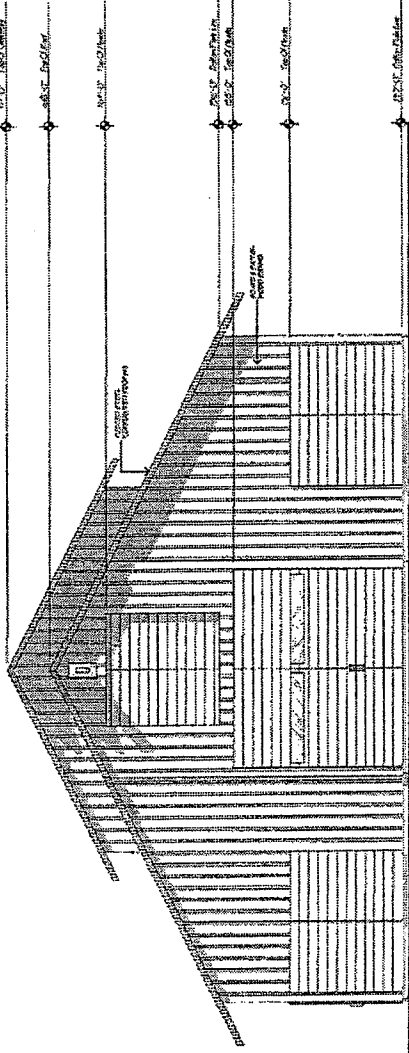
14

TOTAL FLOOR AREA
4576 SQ FT

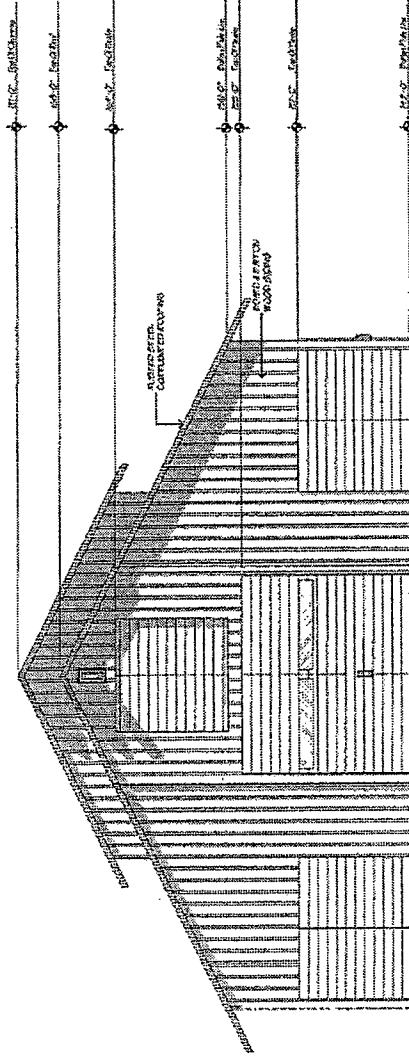
Floor Plan

PROJECT
Minor Use Permit SDS Family Trust – Ennick DRC2004-00125

4-17



NORTH ELEVATION



SOUTH ELEVATION

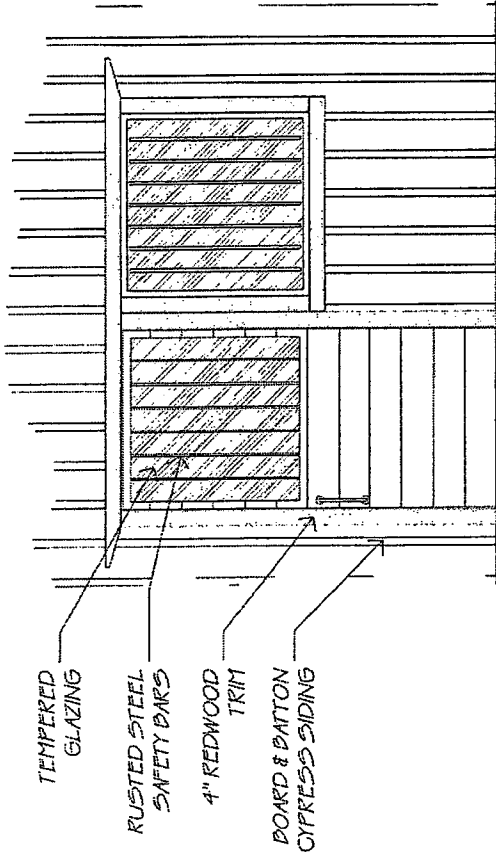
C-6 36

EXHIBIT Elevations

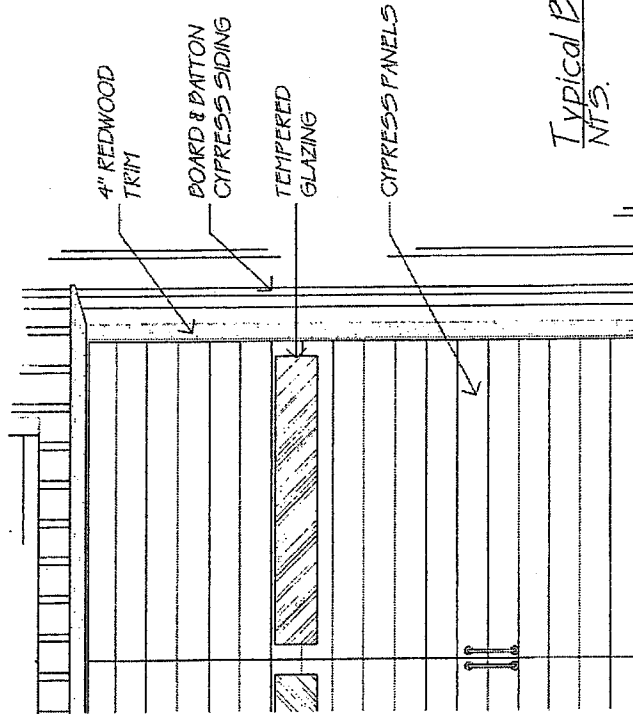


PROJECT Minor Use Permit
SDS Family Trust - Ennick DRC2004-00125

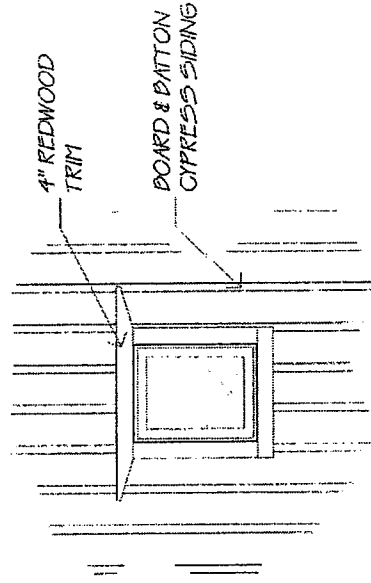
Fenestration Details



Typical Stall Door
NTS.



Typical Barn Door
NTS.



Typical Casement Window
NTS.

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PROJECT

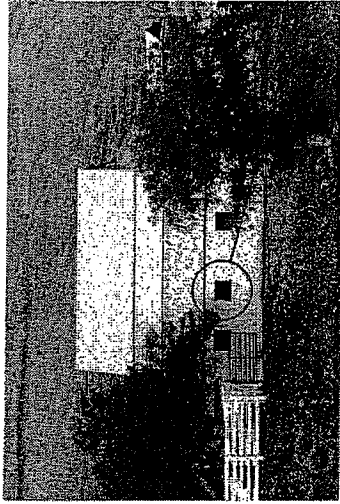
Minor Use Permit
SDS Family Trust - Ennick DRC2004-00125

EXHIBIT

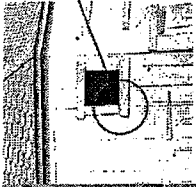
Fenestration Details



Precedents



Apple Barn, San Benito Valley, CA
Unknown

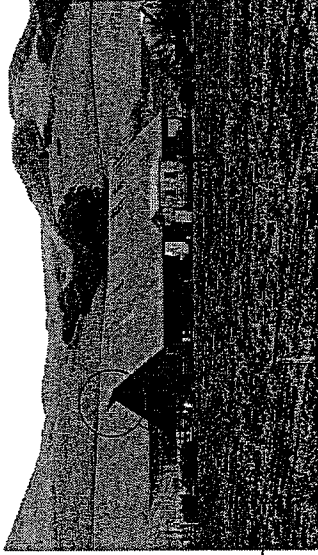


Wide Window Trim

Octagonal Barn, San Luis Obispo, CA
Circa Late 1800's

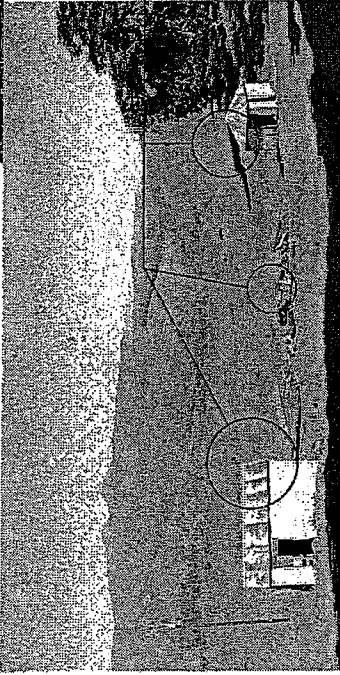
Casement Windows

Widow's Peak



Los Osos Valley Road Barn
San Luis Obispo, CA
Circa Late 1800's

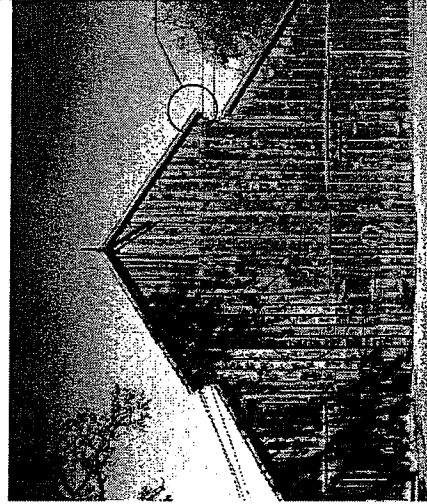
Rusted Corrugated Metal Roofing
to Match Existing Out-Buildings



McLoughlin Site, Harmony, CA
Unknown

Closetory

Board & Batten Siding



Shannon Barn, Santa Ynez Valley, CA
Circa Late 1800's

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PROJECT

Minor Use Permit

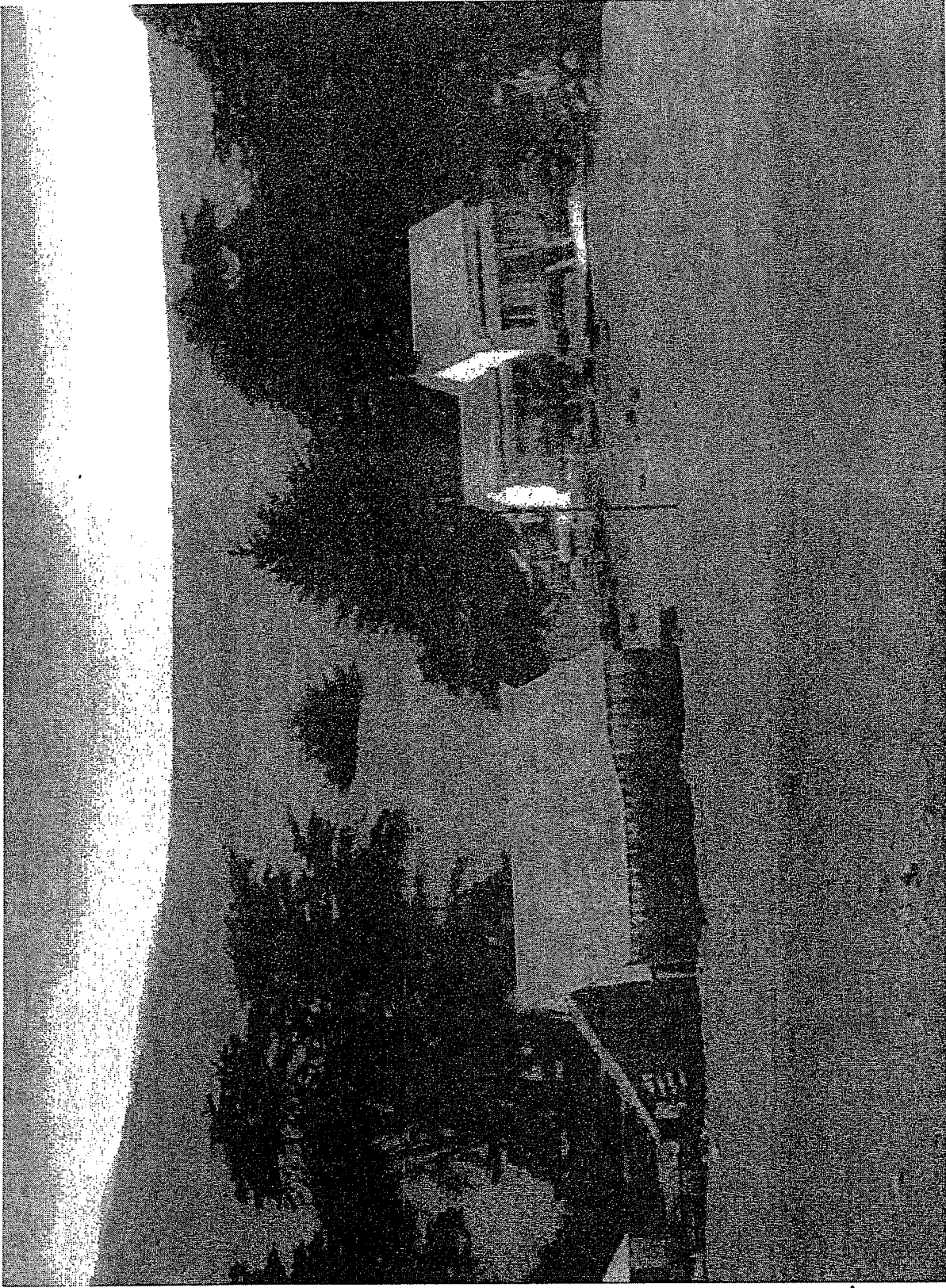
SDS Family Trust – Ennick DRC2004-00125

EXHIBIT

Precedents



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C-439

EXHIBIT

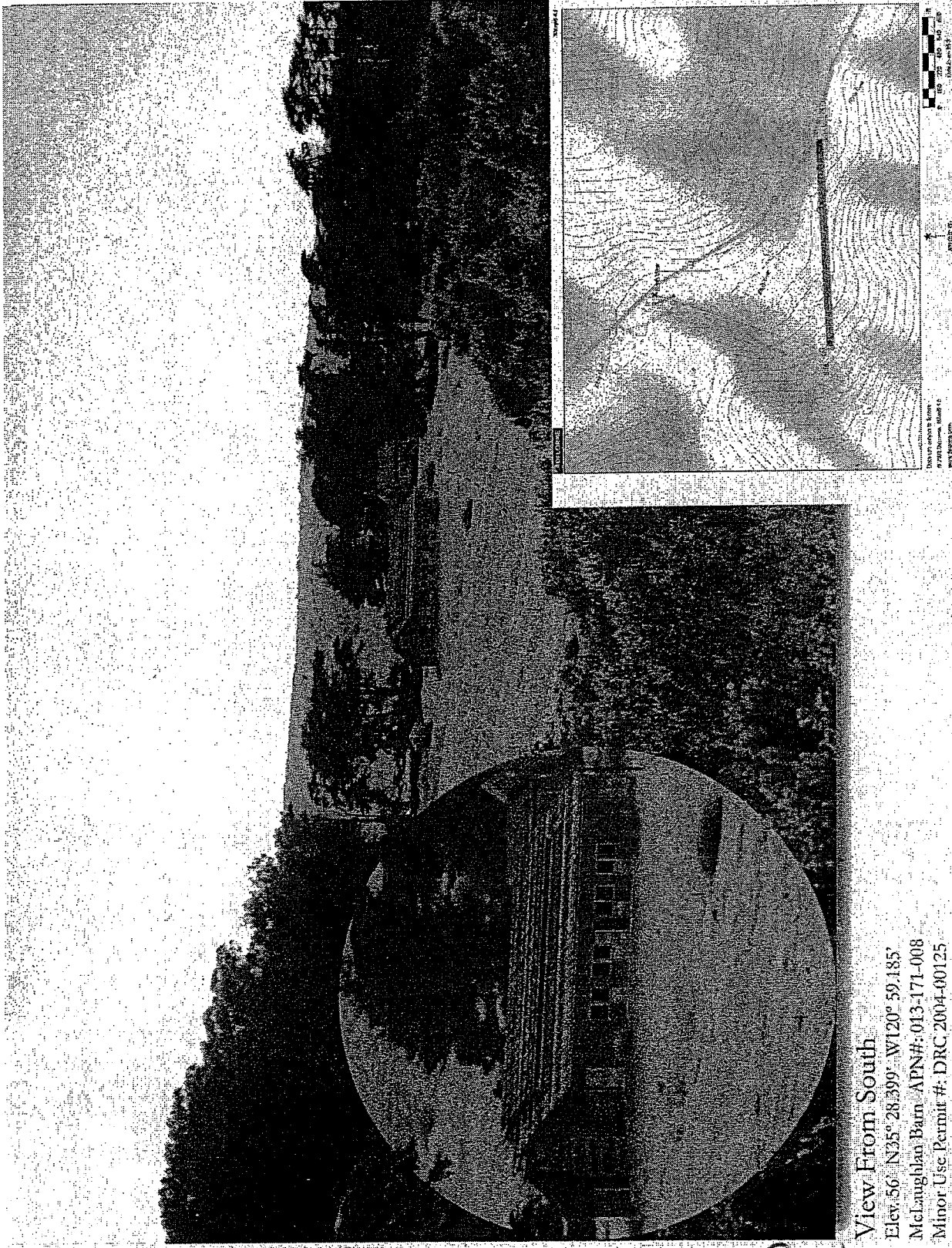
Old Barn



PROJECT

Minor Use Permit
SDS Family Trust – Ennick DRC2004-00125

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View From South
Elev. 56' N35° 28.399' W120° 59.185'
McLaughlin Barn APN#: 013-171-008
Minor Use Permit #: DRC 2004-00125

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EXHIBIT

Site Photo – View from South

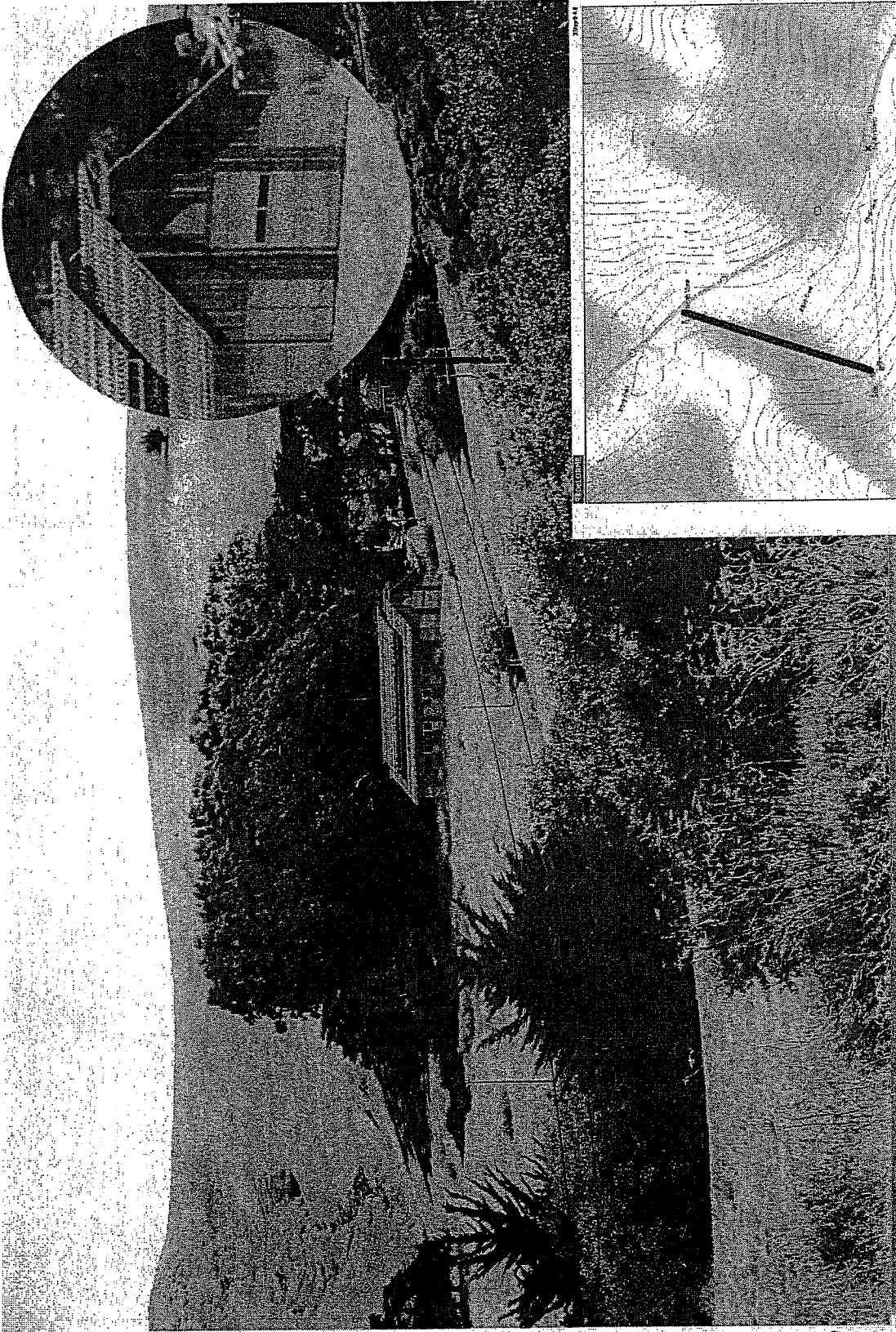


PROJECT

Minor Use Permit

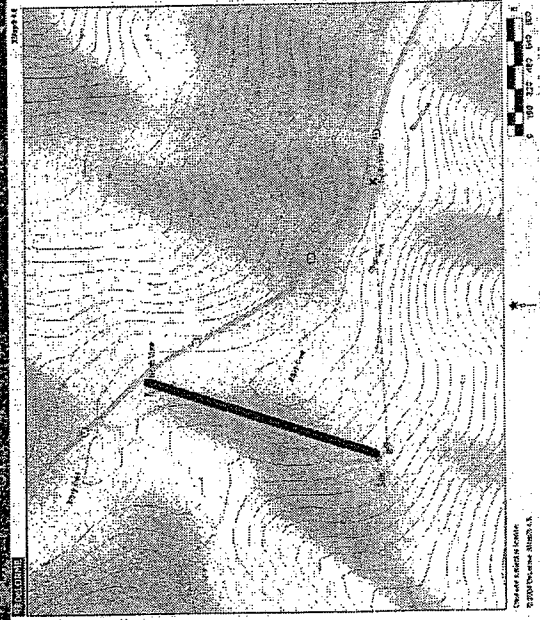
SDS Family Trust – Ennick DRC2004-00125

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View From North

Elev. 71' N35° 28.640' W120° 59.454'
McLaughlan Barn APN#: 013-171-008
Minor Use Permit #: DRC 2004-00125



PROJECT

Minor Use Permit
SDS Family Trust – Ennick DRC2004-00125



EXHIBIT

Site Photo – View from North

Reference Department of Planning & Building Staff Report

Minor Use Permit # DRC2005-00125/SDS Family Trust

Information that was given to us by the local Planning Department Staff advised us to combine all permits into one rather than seeking individual permits have delayed the project, as a result SDS has suffered hardship. We would request that a decision be rendered forthwith on the requested Minor Use Permit.

Project History:

Reference Page 2 of Report.

Requirement for access is not proportional for the development. We are requesting restoration.

Shoreline Access:

Reference Page 3 of Report

No additional square footage is planned so the limited lateral access along the dry sandy beach should be removed. We are only planning to restore the pre-existing footprint.

Reference Page 8 Section 3

Request Exterior Lights to be allowed and shielded from Highway 1. This would be for Health & Safety consideration in addition to Security of Livestock & People.

Reference Page 8 Section 8:

Request removal of same due to proportional scope of development.

Respectfully Yours

Sharyn Emmick Schrick

Denise Emmick McLaughlan

Sandra Emmick Bowman

SDS Family Trust



3/17/06
Denise McLaughlan
3/17/06
Sharyn Emmick Schrick
Sandra E Bowman

3/17/06.

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San Luis Obispo County Planning Department
County Government Center
San Luis Obispo County, California, 93408

March 16, 2006

To Whom it May Concern

In consideration of the request for a Minor Use Permit/Coastal Development Permit and modification of Minor Use Permit (D010354P) and regarding County File Number DR62004-00125.

As an interested party I would like to speak on behalf of the applicants and encourage consideration of the following:

 Denise M. Taughla
3/17/06

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Reference Department of Planning & Building Staff Report

Minor Use Permit # DRC2005-00125/SDS Family Trust

Information that was given to us by the local Planning Department Staff advised us to combine all permits into one rather than seeking individual permits have delayed the project, as a result SDS has suffered hardship. We would request that a decision be rendered forthwith on the requested Minor Use Permit.

Project History:

Reference Page 2 of Report.

Requirement for access is not proportional for the development. We are requesting restoration.

Shoreline Access:

Reference Page 3 of Report

No additional square footage is planned so the limited lateral access along the dry sandy beach should be removed. We are only planning to restore the pre-existing footprint.

Reference Page 8 Section 3

Request Exterior Lights to be allowed and shielded from Highway 1. This would be for Health & Safety consideration in addition to Security of Livestock & People.

Reference Page 8 Section 8:

Request removal of same due to proportional scope of development.

Respectfully Yours

Sharyn Emmick Schrick

Denise Emmick McLaughlan

Sandra Emmick Bowman

SDS Family Trust



3/17/06
Denise McLaughlan
3/17/06
Sharyn Emmick Schrick
Sandra E Bowman

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3/17/06.

San Luis Obispo County Planning Department
County Government Center
San Luis Obispo County, California, 93408

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